

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks is respectfully requested. Claims 13, 18 and 24-27 are pending in this application.

Applicants respectfully request the Examiner to *first* enter the amendments to the claims in Applicants' December 29, 2009 Amendment, and *then* enter the amendments to the claims in this Subsequent Amendment. By this Subsequent Amendment, claims 13 and 24-27 are amended. By this Subsequent Amendment, no claims are added or cancelled.

Concurrently with the filing of this Subsequent Amendment, Applicants have filed a Request for Continued Examination (RCE) to ensure that this Subsequent Amendment and Applicants' December 29, 2009 Amendment are entered. Any subsequent action other than a Notice of Allowance or Quayle Action should be Non-Final.

The arguments against the rejections to the pending claims under 35 U.S.C. §103(a) in Applicants' December 29, 2009 Amendment still *fully* apply to the newly amended claims. None-the-less, Applicants have revised the arguments in light of the new amendments to the claims.

Rejections under 35 U.S.C. §103

The Examiner has rejected claims 13-15, 18, 24-27, 29, 30, 36, 37, 43, 44, 50 and 51 under 35 U.S.C. §103(a) as being unpatentable over Kato et al. (U.S. Patent Appl. No. 2002/0145702, hereinafter "Kato") in view of Ando et al. (U.S. Patent No. 7,054,545, hereinafter "Ando") in view of Mori et al. (U.S. Patent No. 6,529,683). Applicants respectfully traverse this rejection for the reasons detailed below.

In Applicants' December 29, 2009 Amendment, Applicants have amended independent claim 13 to include the features of dependent claim 14. Furthermore, in this Subsequent Amendment, Applicants have amended independent claim 13 to further clarify its features.

None of the cited references disclose or suggest "the at least one still picture unit including at least one still picture and associated graphic data ...wherein the at least one still picture and associated graphic data in the at least one still picture unit are reproduced synchronously, and the audio data is reproduced independently from the at least one still picture unit" as recited in claim 1. The Examiner acknowledges that Kato does not disclose or suggest these features. See Office Action, pages 3-4. The Examiner relies upon Ando as disclosing "the at least one still picture unit including at least one still picture and associated graphic data...wherein the at least one still picture and associated graphic data in the at least one still picture unit are **reproduced synchronously**" and Mori as disclosing "the audio data is **reproduced independently** from the at least one still picture unit."

In contrast to the Examiner's assertions, FIGS. 6A and 6B of Ando do not disclose or suggest "the at least one still picture and associated **graphic** data in the at least one still picture unit are **reproduced synchronously**." At most, FIGS. 6A and 6B illustrate that a still picture (e.g., picture 5, picture 6) may be played back *synchronously* with audio data - **not graphic data**. *Nothing* in these figures indicate that picture 5 or picture 6 of Ando is synchronously played back with graphic data.

Furthermore, Mori does not disclose or suggest these features as well. Therefore, the combination of Ando, Mori and Kato do not render independent claim 13 obvious to one of ordinary skill in the art. Claim 18, dependent on claim 13, is patentable for at least the same reasons stated above. Also, independent

claims 24-27 have been amended to include features similar to the above-recited features of claim 13, and are patentable for at least the same reasons stated above. As such, Applicants respectfully request this rejection be withdrawn.

CONCLUSION

In view of the above remarks and amendments, Applicants respectfully submit that each of the rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

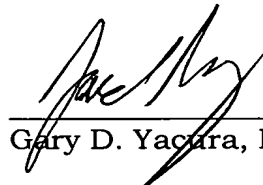
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By



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